

# Court of Appeals, State of Michigan

## ORDER

People of MI v Patrick Joseph Morrissey

Docket No. 304234

LC No. 09-013459-FH

David H. Sawyer  
Presiding Judge

William B. Murphy, C.J.

Joel P. Hoekstra  
Judges

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The motion to waive the filing fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.


Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, this Court PEREMPTORILY REVERSES the decision of the Kent Circuit Court, which denies defendant-appellant's request to represent himself and VACATES that portion of the circuit court's May 5, 2011, order effectuating that decision. The trial court clearly erred when it found that defendant-appellant's request for self-representation was ambiguous and equivocal and when it found that self-representation would unduly disturb the proceedings. *People v Russell*, 471 Mich 182; 684 NW2d 745 (2004); *People v Williams*, 470 Mich 634; 683 NW2d 597 (2004); *People v Hicks*, 259 Mich App 518; 675 NW2d 599 (2003). This matter is REMANDED to allow defendant to proceed pro se with standby counsel. This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

**JUN - 1 2011**

Date

  
Chief Clerk